

REMARKS

This Amendment is being filed in response to the Final Office Action mailed July 18, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 4-7 and 9-15 remain in the Application, where claims 10-15 have been added by the present Amendment, and claims 1, 7 and 9 are independent.

In the Office Action, claim 7 is objected to for a certain informality. In response, claim 7 has been amended to remove the informality noted in the Office Action. It is respectfully submitted that the rejection of claim 7 has been overcome and an indication as such is respectfully requested.

In the Office Action, claim 6 is rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. In response, claim 6 has been amended to remove the informality noted in the Office Action. It is respectfully submitted that the rejection of claim 6

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has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 1, 4-7 and 9 are rejected under 35 U.S.C. §103(a) as allegedly patentable over U.S. Patent No. 6,118,739 (Kishinami) in view of U.S. Patent No. 5,225,755 (Okamoto). It is respectfully submitted that claims 1, 4-7 and 9-15 are patentable over Kishinami and Okamoto for at least the following reasons.

As correctly noted on page 4 of the Office Action, Kishinami does not disclose or suggest "a peak/bottom detector at the output of the I operator," as recited in independent claim 1, and similarly recited in independent claims 7 and 9. Okamoto is cited in an attempt to remedy the deficiencies in Kishinami.

Okamoto is directed to motor servo circuit for disc reproduction apparatus, where a phase error signal ERR_1 is generated by a phase comparison circuit 6 shown in FIG 4. The phase error signal has a pulse width according to the phase difference between a horizontal synchronizing signal and a reference synchronizing signal. A variation amount of the phase

error signal, during a period corresponding to a predetermined number of rotation of the disc, is detected as the eccentricity amount of the rotation of the disc. The duty ratio of the phase error signal is digital-modulated according to the eccentricity amount.

As shown in FIG. 4, the phase error signal ERR_1 is supplied to an eccentricity detecting circuit 22 and a duty modulating circuit 23. As shown in FIG. 5, the eccentricity detecting circuit 22 includes maximum and minimum value latching portions 22a, 22b for latching the maximum and minimum values of phase error signal ERR_1 .

It is respectfully submitted that Kishinami, Okamoto, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 7 and 9 which, amongst other patentable features, recites (illustrative emphasis provided) :

a PID operator for the tracking of a beam on the track, said PID operator comprising an I operator, wherein said eccentricity measurer takes account of the signal at the output of the I operator; and

a peak/bottom detector at the output of the I operator.

These features are nowhere disclosed or suggested in Kishinami and Okamoto, alone or in combination. At best, the combination of Kishinami and Okamoto discloses having the maximum/minimum detector of Okamoto connected somewhere in the servo unit of Kishinami shown in FIG 4A. Even, assuming arguendo, that the combination of Kishinami and Okamoto discloses or suggests having the Okamoto maximum/minimum detector connected to a PID output of the Kishinami servo unit, there is still no disclosure or suggestion "a peak/bottom detector at the output of the I operator," as recited in independent claim 1, and similarly recited in independent claims 7 and 9.

Accordingly, it is respectfully submitted that independent claims 1, 7 and 9 should be allowable. In addition, claims 4-6 and 10-15 should be allowable at least based on their dependence from independent claims 1, 7 and 9.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the

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presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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